

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:17CR132
)	
vs.)	
)	
KAYVON BERRY-SMITH,)	ORDER
)	
Defendant.)	

This matter is before the court on defendant's unopposed Motion to Continue Trial [52]. Counsel requests additional time to conclude plea negotiations. For good cause shown,

IT IS ORDERED that the Motion to Continue Trial [52] is granted as follows:

1. The jury trial now set for December 26, 2017, is continued to **January 29, 2018**.

2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and January 29, 2018**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED December 22, 2017.

BY THE COURT:

**s/ Susan M. Bazis
United States Magistrate Judge**